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9 March 1982

NOTE FOR: Director, Office of External Affairs
 ~~Director, Office of Information Services~~

FROM:
 Deputy General Counsel

SUBJECT: Request from Chairman Schmitt

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Attached are the proposed guidelines that Chairman Schmitt requested. If you have comments or suggestions, please let me know by phone as soon as possible.

Attachment

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CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

Office of General Counsel

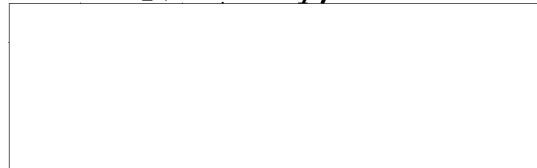
Honorable Harrison H. Schmitt
Chairman, Subcommittee on Legislation
and Rights of Americans
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

I greatly appreciated the opportunity to appear before the Subcommittee on Legislation and Rights of Americans to present the Agency's views and to answer the Subcommittee's questions on the proposed revisions of the classification Executive Order.

As you requested, I have tried my hand at producing a simple primer on classification. Although, as you note, I could not quite succeed in reducing it to one page, I hope it may be of use to you nevertheless.

Sincerely,



Deputy General Counsel

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Enclosure

Guidelines Concerning the Storage, Handling,
and Transmission of Classified Information

"Classified information" is official Government information relating to the national defense or foreign relations of the United States which requires protection against unauthorized disclosure in the interest of national security. Such information is designated "Top Secret," "Secret" or "Confidential." Procedures and criteria for classifying information and guidelines to govern access, use, storage, reproduction and transmittal of classified information are set forth in Executive orders, currently E.O. 12065, and other Executive Branch directives.

-- Once classified, information may be declassified only by the Executive Branch official who authorized the classification, his successor in office, a supervisory official, or certain other officials granted such authority by an agency head.

-- Classified information which has been disclosed via an inadvertent or unauthorized disclosure or publication here in the United States or abroad is not automatically declassified and should continue to be treated as classified until the originating agency decides otherwise. When there is a question as to whether information may continue to be classified after it has been leaked or otherwise disclosed via unofficial publication, the information should continue to be protected as classified until the originating agency has an opportunity to reconsider its previous classification determination.

-- A security clearance is required before access to classified information is granted. Additionally, a determination must be made that access to the specific information is necessary to accomplish an authorized and lawful Government purpose (the "need-to-know" principle).

-- When not in the personal custody of an appropriately cleared individual, classified information must be securely stored in a safe to which the minimum number of persons possible have access.

-- A safe combination is itself classified information and must not be carried on one's person, recorded in an insecure manner, or disclosed over the telephone.

-- Further distribution of classified information to any other public official or additional copies may not be made without the consent of the originating agency. ?

-- Whenever classified information is taken outside of a secured area it should be carefully enclosed in opaque material to protect it from loss or casual observation.

-- Any loss, compromise, threatened or actual unauthorized disclosure should be immediately reported to the originating agency.

-- As soon as the classified materials are no longer needed, they should be returned to the originating agency. ?

-- The obligation not to reveal classified information by word, conduct, or other means applies not only to classified information contained within written documents, but also to properly classified information that is orally communicated to an individual.

-- Whenever an individual has received information which he or she believes should be classified, but is not so marked, it should be treated as classified and promptly referred to the appropriate agency or department.